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**REMARKS**

Applicants respectfully present Claims 1, 2, 4, 6-8, 10-12, 15-16, 18-20, 22, 25-26 and 28-30 for examination in the RCE filed herewith. Claims 2 and 30 have been canceled herein without prejudice to the filing of continuations and/or divisionals. Additionally, Claims 1, 4, 6, 8, 15, 19, 25 and 29 have been amended herein to more clearly define the scope of the presently claimed invention. No new claims have been submitted and no new matter has been introduced. Applicants respectfully submit that the claims and remarks presented herein overcome the Examiner's rejections in the Final Office Action dated November 22, 2005 in the parent application.

**Specification (Abstract)**

Applicants are at a loss as to whether the Examiner is objecting to the Abstract or merely providing Applicants with a reminder of the proper contents of an Abstract. The current Abstract of the Disclosure is short and concise and fully descriptive of the claimed invention at a high level. No excessive details are provided and no references are made to the merits or speculative applications of the invention. Applicants respectfully request additional information from the Examiner in order to address the Examiner's concerns.

**35 U.S.C. §103**

Claims 29 and 30 are rejected under 35 U.S.C. §103 as being unpatentable over Junqua et al, U.S. Patent No. 6, 415,257 ("Junqua") in view of Curry et al., U.S. Patent No. 6,493,669 ("Curry"), in further view of Newman, U.S. Patent No. 5,946,654 ("Newman"). Claims 1, 2, 6-8, 11, 12, 15, 16, 18-20, 22, 25, 26 and 28 stand rejected under 35 U.S.C. §103 as being unpatentable over Sherwood, U.S. Patent No. 6, 212, 498 ("Sherwood") in view of Sharma et al, U.S. Patent No. 6, 480,825 ("Sharma") and in further view of Curry, and in further view of Newman. Additionally, Claims 4 and 10 stand rejected under 35 U.S.C. §103 as being unpatentable over Sherwood in view of Sharma, in further view of Curry and in further view of Newman. Applicants respectfully traverse the rejections.

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With respect to Claims 29 and 30, Applicants respectfully submit that Claim 30 has been canceled and the rejection is therefore moot. With respect to Claim 29, Applicants respectfully submit that the combination of Junqua and Curry do not teach or suggest each element of the claimed invention. Junqua describes a system for identifying and adapting a TV-user profile by means of speech technology. In Junqua, a user's identity may be verified by a verification/identification module based on the user's speech, and then a predefined or pre-stored set of user preferences may be invoked to further guide the interaction between the user and the system (Junqua, Col. 1, lines 42-54). The Examiner concedes that Junqua does not explicitly teach using a default speech model during speech processing, but suggests that Curry teaches this element. The Examiner further suggests that it would have been obvious to one of ordinary skill in the art of speech recognition to modify the teachings of Junqua with defaulting to a speech model because it would advantageously offer speech recognition to an unrecognized user (as opposed to not offering any speech recognition to an unidentified user). Applicants strongly disagree.

Applicants respectfully submit that Junqua, with or without Curry, does not teach or suggest the elements of the claimed invention for at least the following reasons. First, the Examiner cites various sections of Junqua as teaching or suggesting various elements of independent Claim 29. For example, the Examiner cites Col. 10 line 55 of Junqua as teaching or suggesting the element of dynamically identifying whether a new speech model has a better fit to the initial information. This section of Junqua, under the heading "Speaker Adaption", essentially talks about a new set of HMMs constructed based on a supervector to generate the adapted model. Applicants respectfully point out that this section of Junqua appears to simply describe how the natural language parser extracts semantics behind a user's natural language spoken input based on a database having two sets of grammars. Nothing in this section, however, can be construed to mean that Junqua discloses the claimed element of a control module that *selects* one of the at least two speech models as a selected default speech model based on the context information, *configures* a speech recognizer to use the selected default speech model, *dynamically identifies* whether a new speech model has a better fit to the characteristics of the context

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information and if so, *associates* the new speech model with the call as a new default speech model.

The Examiner concedes that Junqua does not explicitly teach or suggest the element of using a default speech model but suggests that Curry teaches this element. As previously discussed, since Junqua does not teach or suggest the various other elements of the claimed invention, Applicants submit that it is irrelevant whether Curry teaches the element of "using a default speech model". Additionally, Applicants are not attempting to claim the general concept of "using a default speech model", but rather the combination of the elements in the claim, which are not taught by the combination of Junqua and Curry.

The Examiner also concedes that the combination of Junqua and Curry does not explicitly teach dynamically replacing the old speech model if the new speech model is a better fit, but suggests that Newman teaches this element. Specifically, the Examiner cites various sections of Newman, which he suggests teaches this element (Col. 6, lines 49-56, Col. 7, lines 10-29, Col. [missing], lines 59-64, Col. 8, lines 20-30). Applicants strongly disagree. First and foremost, Applicants respectfully submit that the Examiner is erroneous in his suggestion that it would have been obvious to one of ordinary skill in the art to combine Newman with Junqua and Curry to teach or suggest the claimed elements. The mere fact that these references are generally applicable to "speech recognition" does not render obvious a combination. There is simply no suggestion in any reference for such a combination. As set out in M.P.E.P. § 706.02(j), "(t)here must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings." Applicants strongly disagree that there is any such motivation in the present case.

The Examiner states that it would have been obvious to combine Newman with Junqua and Curry because it would "advantageously associate and use the contents of the input speech to a best fir model, and update the model as well, to improve recognition accuracy". The Examiner's language, however, does not suggest a motivation, but merely a result. There is no teaching in any of the references to actually suggest this combination. The mere fact that the combination may provide an advantage does not

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*prima facie* mean that the combination is obvious. In the present case, there is no teaching in either reference to suggest that it would have been obvious to one of ordinary skill in the art to combine the references in the manner described by the Examiner. Applicants therefore respectfully submit once again that the combination of these references is improper and respectfully request the Examiner to withdraw the 35 U.S.C. § 103 rejection to pending Claim 29.

Even assuming *arguendo* these references were properly combined, Applicants respectfully submit that the combination of Junqua, Curry and Newman does not render Claims 1-30 unpatentable. Again, as previously highlighted to the Examiner, Applicants are not attempting to claim the discrete elements of the invention or the general concepts of speech recognition. Instead, the invention herein is a scheme to *improve* speech recognition, i.e., one that utilizes various speech recognition elements in a novel manner to achieve improved speech recognition performance. As claimed in independent Claim 29, a new speech model is examined to dynamically identify whether it has a better fit to the characteristics of the context information, and then, if the new speech model is a better fit, it is associate with the call as a new default speech model. Applicants respectfully submit that this novel combination of elements is not taught or suggested by the prior art. In fact, Applicants submit that the mere fact that the Examiner was forced to rely on a combination of multiple references to allegedly show the different elements of the claims supports Applicants' position that the *combination* of these references is novel. Applicants therefore respectfully request the Examiner to withdraw the rejection to Claims 29 and 30 under 35 U.S.C. §103.

With respect to Claims 1, 2, 6-8, 11, 12, 15, 16, 18-20, 22, 25, 26 and 28, Applicants respectfully submit that Claim 2 has been canceled and the rejection is therefore moot. With respect to the remaining claims, the Examiner submits that the combination of Sherwood, Sharma, Curry and Newman render these claims unpatentable. The Examiner states that Sherwood discloses "an enrollment method where a user utterance and determining the context of a user utterance and determining whether the utterance matches a portion of enrollment text." The Examiner then concedes that Sherwood does not explicitly teach "determining initial information and mapping target, mapping the initial information to at least one model, identifying a model having a best

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fit to the initial information, associating the model having a best fit with the mapping target as a default model." The Examiner suggests, however that Sharma discloses this element. Similarly, the Examiner concedes that Sherwood and Sharma do not explicitly teach using a default speech model during speech processing, but states that Curry teaches this element and as a result, the combination of Sherwood, Sharma and Curry render the claimed invention unpatentable. Furthermore, the Examiner concedes that Sherwood, Sharma and Curry do not explicitly teach dynamically replacing the old speech model if the new speech model is a better fit, but suggests that Newman teaches this element. Applicants strongly disagree.

Setting aside whether this combination of references is proper, Applicants respectfully reiterate that Applicants are not attempting to claim the discrete elements of the claimed invention and/or the general concepts of speech recognition. Instead, as claimed in the independent claims herein, a new speech model is examined to dynamically identify whether it has a better fit to the characteristics of the context information, and then, if the new speech model is a better fit, it is associated with the call as a new default speech model. Applicants respectfully submit that this novel combination of elements is not taught or suggested by the prior art. Applicants once again submit that the mere fact that the Examiner was forced to rely on a combination of so many references to allegedly show the different elements of the claims supports Applicants' position that the *combination* of these references is novel. Applicants therefore respectfully assert the Examiner's combination of references is far fetched and would only have been obvious in hindsight. Applicants maintain that the combination of references (i) is not obvious and (ii) does not teach each and every element of the claimed invention. Applicants therefore respectfully request the Examiner to withdraw the rejection to Claims 1, 2, 6-8, 11, 12, 15, 16, 18-20, 22, 25, 26 and 28 under 35 U.S.C. §103.

Claim 4 is dependant on independent Claim 1 and Claim 10 is dependant on independent Claim 8. As described above, Sharma and/or Sherwood do not teach various elements of Claims 1 and 8. Applicants respectfully submit that the addition of Junqua, Curry and/or Newman to these references also does not teach these various elements. As such, Applicants submit that Claims 4 and 10 are patentable over Sherwood, Sharma,

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Junqua and/or Curry and respectfully request the Examiner to withdraw the rejection to these claims under 35 U.S.C. §103.

In summary, Applicants respectfully submit that the cited references do not render independent Claims 1, 8, 15, 19, 25 and 29 unpatentable (and by extension, any claims dependant on these independent claims). Applicants therefore respectfully request the Examiner to withdraw the rejection to Claims 1, 4, 6-8, 10-12, 15-16, 18-20, 22, 25-26, 28 and 29 under 35 U.S.C. §103.

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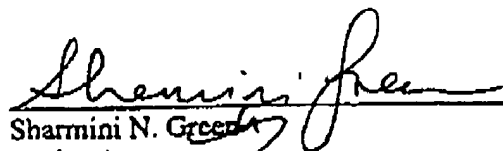
**CONCLUSION**

Based on the foregoing, Applicants respectfully submit that the applicable objections and rejections have been overcome and that pending Claims 1, 4, 6-8, 10-12, 15-16, 18-20, 22, 25-26, 28 and 2 are in condition for allowance. Applicants therefore respectfully request an early issuance of a Notice of Allowance in this case. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (310) 406-2362.

If there are any additional charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

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